

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Stengel, et al.
Filed : 12/13/2001
Serial No. : 10/017,986
Confirmation No. : 8396
Group Art Unit : 2817
Examiner : Henry Choe
Docket Number : CM03376J
Title : Distributed RF Power Amplifier With Load Compensation

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☒ transmitted by facsimile to the U.S. Patent and Trademark Office to Examiner Choe

at Fax Number: 703-872-9326

Applicant, Assignee or Reg. Representative: Jerry A. Miller, Reg. # 30779

Signature: [Signature] Date: 6/23/2003

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

This is a responsive to the Restriction/Election Requirement dated June 4, 2003. This Restriction/Election Requirement asserted five patentably distinct species and requires Applicant to identify the claims associated with each species. The undersigned

has mapped the claims to the species identified in the Election R quirement in the following table for ease of reference.

Figure/ Species	Claims
2 / I	None – simplified view to facilitate analysis
3 / II	All Claims
4 / III	All Claims except 14
5 / IV	All Claims except 8* and 13
6 / V	All claims except 8* and 13

* It should be noted, that Figures 5 and 6 depict a separate drive signal for the final stage (246) and thus suggests that claim 8's "means for changing the drive signal changes a plurality of drive signals to the distributed amplifier" would not apply to these Figures. However, one could also contemplate an embodiment wherein the drive to the first three stages (240, 242 and 244) is changed in a circuit that is consistent with Figures 5 and 6. Therefore, the present response should not be construed to limit the scope of the claims. Nevertheless, these Figures were intended to depict a separate drive signal for the final stage and the claims are thus being categorized as such for purposes of response to this election requirement.

From this table it can be seen that Figure 3 and Group II is generic to all claims, and is therefore not properly categorized as a species, per se. The remaining groups (except for Group I) read on nearly all claims except for several mutually exclusive species relating to use of FET transistors versus junction transistors.

Although the undersigned believes that the current Restriction/Election requirement is improper, in order to provide a complete response to the current action, an election is required. Accordingly, the undersigned hereby elects Group II (species II) consisting of all claims. Since this election effectively elects all claims, traversal of the requirement is moot.

The undersigned further wishes to clarify the record regarding a telephone communication between the undersigned and Examiner Choe on May 30, 2003. The undersigned has no record or memory of any telephone conversation with Examiner Choe on this date and has never received any oral request for restriction on this case.

^{Fig. 3} In summary, the undersigned elects group II and in view of the Response filed in response to the First Office Action, the undersigned believes that all claims are in allowable condition and such allowance is respectfully requested at an early date. If

further issues remain to be resolved, the requests the courtesy of a telephone call to expedite resolution of such issues. The undersigned can be reached by telephone at 919-816-9981.

Respectfully submitted,



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Dated: 6/23/2003

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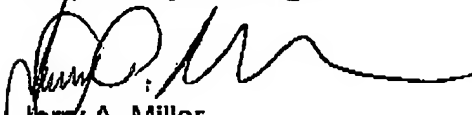
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To: Examiner Henry Choe, U.S. Patent and Trademark Office
CC: Michelle Larson, Esq.
From: Jerry A. Miller
Re: Response to Restriction/ Election Requirement
S/N 10/017,986
Motorola Reference CM03376J
Date: June 23, 2003

Dear Mr. Choe:

Following is a response to the outstanding Restriction/Election requirement dated June 4, 2003 for the above application. No fee is required for submission of this response.

Respectfully submitted,



Jerry A. Miller
Registration No. 30,779

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